

**Federal Defenders  
OF NEW YORK, INC.**

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May 20, 2022

**By ECF**

The Honorable Valerie E. Caproni  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, NY 10007

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**MEMO ENDORSED**

**RE: United States v. Rovier Carrington, 21 Cr. 653 (VEC)**

Dear Judge Caproni:

I write in response to the Court's order dated April 4, 2022 (ECF # 23) to provide a joint status update. As previously reported, Mr. Carrington intends to retain private counsel to represent him on this matter. Mr. Carrington is in the process of securing counsel and requests an additional three weeks to retain and proceed with private counsel. The government does not take a position with regard to Mr. Carrington's request. Mr. Carrington does not object to the exclusion of time under the Speedy Trial Act.

Thank you for your consideration of this request.

Respectfully submitted,



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Cc: AUSA Kevin Mead (via ECF)

In the April endorsement, the Court was clear that it would not adjourn the June 2, 2022 status conference further on the basis of Mr. Carrington's desire to retain private counsel. The Court further instructed that if Mr. Carrington has not secured private counsel by May 20, 2022, he must notify the court whether he wishes to proceed *pro se* or whether he wishes for his current counsel to become his appointed counsel (pending the filing of a financial affidavit form so the Court may determine whether he qualifies for appointed counsel). Instead of complying with the Court's order, Mr. Carrington has requested yet another adjournment.

The Court will give Mr. Carrington one final opportunity either (1) to retain private counsel, (2) to declare his intention to proceed *pro se*, or (3) to file a financial affidavit so the Court may determine whether he qualifies for Court appointed counsel. A status update filed by Mr. Carrington's privately retained counsel (who has filed a notice of appearance), by Mr. Carrington himself, or by Court appointed counsel (following the submission and approval of a financial affidavit form) is due no later than **Friday, June 10, 2022**. **The Court will not grant any extensions of this deadline.** If Mr. Carrington does not comply with this requirement, the Court will terminate the appearance of his current counsel and will proceed with the understanding that Mr. Carrington will be representing himself *pro se*.

The status conference, currently scheduled for Thursday, June 2, 2022 at 2:00 P.M., is adjourned to **Thursday, June 16, 2022 at 2:15 P.M.** The hearing will be held in Courtroom 443 of the Thurgood Marshall United States Courthouse, located at 40 Foley Square, New York, New York 10007. Per the SDNY COVID-19 COURTHOUSE ENTRY PROGRAM, any person who appears at any SDNY courthouse must complete a questionnaire. Only those individuals who meet the entry requirements established by the questionnaire will be permitted entry. Additionally, any person who appears at any SDNY courthouse must comply with Standing Order M10-468 (21-MC-164), which further pertains to courthouse entry.

Given the complexities and delays associated with the COVID-19 pandemic, the Court finds that the ends of justice in accommodating those delays outweigh the Defendant's and the public's interests in a speedy trial, and that exclusion of time between now and June 16, 2022 is warranted pursuant to 18 U.S.C. § 3161(h)(7).

SO ORDERED.



Date: May 24, 2022

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE